

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2401 - SB 2284

February 3, 2022

SUMMARY OF BILL: Expands the jurisdiction of the Board of Judicial Conduct (Board) to include administrative law judges, judicial commissioners, magistrates, referees, special masters, hearing officers, and worker's compensation judges. Specifies that the Board is authorized to investigate and take appropriate action in response to a complaint that an active judge is suffering from a temporary or permanent disability. Defines temporary or permanent disability. Prohibits the Board from imposing any disciplinary action against an administrative law judge who is employed by the Secretary of State.

Authorizes the Board or an investigative panel of the Board to refer the matter to the Tennessee Lawyers Assistance Program (TLAP). Authorizes the Board or an investigative panel of the Board to order a physical or mental evaluation of a judge upon recommendation of the TLAP or by unanimous vote of the investigative panel and approval by the Board chair. Requires any cost associated with an evaluation be borne by the Board.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. 17-5-302(a), the Board is authorized to investigate and take appropriate action, including recommendation of removal from office, in any case wherein an active judge is suffering from any disability that is or is likely to become permanent, and that would substantially interfere with the prompt, orderly, and efficient performance of the judge's duties.
- The proposed legislation will not result in a significant increase in complaints, investigations or orders of evaluation to the Board; therefore, any fiscal impact is estimated to be not significant.
- According to the Administrative Office of the Courts, the Board's expenditures were \$185,470 in FY19-20 and \$261,890 in FY20-21.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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